

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 28, 1955
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Director of Public Works.

Invocation was delivered by REV. WILLIAM LOGAN, University Presbyterian Church.

Pledge of Allegiance to the Flag.

Councilman White moved that the Minutes of April 20th be approved. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor welcomed a group from Baker School from the Social Study classes.

MR. FOREST PEARSON outlined the Navigation Board's recommendation regarding charging a \$2.50 fee for the licensing of boats on Lake Austin, and providing for inspections of all craft, and giving some dignity to the fact that a license had been issued and that a privilege had been granted which could be withdrawn. The other recommendation was that the minimum rules and regulations be posted in each commercial boat to inform the operators. The Board believed this would be one step in providing for better safety and conduct--inspection for safety; license for conduct. MR. DAVID TISINGER made inquiry of various factors. MR. A. W. PENN believed licensing the boats would not add to safety in anyway. MR. MILTON O'NEAL, President Austin Skiers Club, stated an educational program of the various organizations using the lake would be most helpful, and that his club sponsored a safety and courtsey program. He suggested if the license were increased, that more services be provided--a boat launching ramp; development of the park across from the LCRA Building. MR.

PENN suggested licensing the operators if the fee were for safety purposes, and that the boats when transferred be reinspected and new licenses issued. MR. HARRY POLLARD suggested that the recommendation be referred back to the Navigation Board to come up with something more concrete. He too suggested a better place for a boat ramp. After more discussion, Councilman Thompson moved that the City Manager be asked to have the ordinance drawn to incorporate the recommendations of the Navigation Board. The motion, seconded by Councilman White carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Pursuant to published notice thereof the following zoning applications were publicly heard:

MRS. LILLIAN GRUNT	2414 South Lamar Blvd.	From "C" Commercial To "C-2" Commercial RECOMMENDED by the Planning Commission
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The Mayor asked those who wished to uphold the recommendation of the Planning Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the change had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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HENRY WIRE	Rear, 2034-40 South Lamar Blvd.	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission
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The Mayor asked those who wished to uphold the recommendation of the Planning Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the change had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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R. G. MUELLER, JR.	3507-11 Jefferson St. 1604 West 35th St.	From "A" Residence & "C" Commercial To "GR" General Retail RECOMMENDED By the Planning Commission
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The Mayor asked those who wished to uphold the recommendation of the Planning Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the change had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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FOE A LAWRENCE	1600-22, 1700-02 Nash 1708-10 Kinney	From "A" Residence To "B" Residence NOT Recommended by the Planning Commission
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The Mayor asked those who wished to uphold the recommendation of the Planning Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: None
Noes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

The Mayor announced that the change had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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CHARLES E. SLOAN	709 West 19th St.	From "B" Residence To "C" Commercial NOT Recommended by the Planning Commission
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Councilman Long moved that action on this zoning application be postponed until after the Plan Commission May 17th hearing. (The Planning Commission is to make a study of the expanded area between West Avenue, 19th, 17th, and Guadalupe) The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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Mayor McAden introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE CONSTRUCTION OF SIDEWALKS ALONG CERTAIN STREETS IN THE CITY OF AUSTIN; DETERMINING THAT THE COSTS THEREOF SHALL BE BORNE BY THE ABUTTING PROPERTY OWNERS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

MR. DAVID TISINGER stated that by this time next week, they would have the money to put in sidewalks on the east side of Exposition from Windsor Road to Enfield; from the State School property on the west side of Exposition north to 35th. He hoped that the Legislature would have its money appropriated to take care of the state's part. Councilman Thompson moved that the City Manager be instructed to prepare an ordinance providing the same provisions of the ordinance just passed and dealing with the area just described. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

MR. ROBERT B. LLOYD, Administrator St. David's Hospital, presented a petition with 97 signatures asking for a traffic light at the East 32nd and Red River intersection, and a study of the traffic problem at the Duval-East 32nd Street. The City Manager reported that the study made in February would not justify a traffic light at this time; but it was anticipated that when the Hospital opened, that traffic would increase, and a study would be made at that time. After discussion, Councilman Thompson moved that the City Manager get a report from the Traffic Engineer based on estimates of probability when these two units are opened (the new St. David's Hospital and the Medical Arts Center) and then get the Council a recommendation as to whether he would recommend that light or not. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Pearson submitted a petition from Business men operating

in the 600, 700, and 800 blocks of West 5th Street, requesting that this area be zoned one hour parking, as there were a large number of people parking in front of the firms all day leaving no place for customers to stop. Councilman Long moved this be referred to the Traffic Engineer for study and recommendation. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager stated if it were found to be a need, that they would just go ahead with the installation of it, and report the findings.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OR REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ADJUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS DULY ENACTED ON DECEMBER 16, 1954, AND IS RECORDED IN ORDINANCE BOOK "T" AT PAGES 639 THROUGH 642, BY DELETING UNIT NO. 3 FROM SECTION 1, THEREOF, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden brought up the following ordinance for its second reading:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager reported on the request of Mr. Arch Braswell and Mr. Marvin Braswell on April 14th for paving Grover from North Loop to Koenig Lane, stating at the present time there was no money available to provide for any street work, but it was anticipated there would be some available shortly; and in the meantime, the Engineering Department had been instructed to proceed

with a study to provide lines and grades and work up the necessary roll and the amount of assessment, etc. When that is ready, it might be that the City would have the money available and could proceed. He stated he had suggested that the Braswells contact the people regarding the voluntary paving program. He felt this might be accomplished around June 15th.

Mayor McAden introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

At this time, Councilman Pearson left the Council Room.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that traffic conditions are such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at the location hereinafter described upon the street makes it advisable to use mechanical devices in such enforcement, and has found that such location should be placed in Parking Meter Zone 60, such location being described and located as follows:

<u>ON</u>	<u>SIDE</u>	<u>FROM - TO</u>
West 4th Street	South	Congress Avenue - Alley between Congress and Colorado

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the location upon the street of the City of Austin as above described be and it is hereby placed in Parking Meter Zone 60, and that the City Clerk be, and she is hereby authorized and instructed to record the finding in Section 33.43 of the Traffic Register.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on September 1, 1942, the original contract for the sale of light and power to serve Del Valle Air Support Command Base was entered into between the City of Austin and the United States of America, and was designated Contract No. W-359-Eng-4784; and,

WHEREAS, a new contract was entered into between the City of Austin and the United States of America for the sale of light and power to Bergstrom Air Force Base, which contract was dated April 6, 1953, and designated Contract No. AF 41(602)-68; and,

WHEREAS, the United States of America has requested formal cancellation of Contract No. W-359-Eng-4784; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute Supplemental Agreement No. 3 to Contract No. W-359-Eng-4784, which agreement terminates said contract as of 22 March, 1955, in accordance with the terms and provisions of said agreement as exhibited to the City Council by the City Manager; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to place and keep an executed copy of said Supplemental Agreement No. 3 to Contract No. W-359-Eng-4784 in the permanent files of the City Clerk's Office.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH CRESTVIEW HOME BUILDERS, INC.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH D. L. WELCH AND GLEN E. LEWIS; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH JACK BURKETT; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
ENTER INTO A CERTAIN CONTRACT WITH AUSTIN
CORPORATION; PROVIDING FOR THE APPROPRIATION
OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH
CONTRACT AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the southeast corner of the intersection

of North Lamar Boulevard and St. John's Avenue, which property fronts 107 feet on North Lamar Boulevard and 150 feet on St. John's Avenue and being a tract of land out of the James P. Wallace Survey in the City of Austin, Travis County, Texas, and hereby authorizes the said Pioneer Service Company, Incorporated, to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, Traffic and Fire regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Pioneer Service Company, Incorporated, has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"April 28, 1955

"Mr. W. T. Williams, Jr.
Acting City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Pioneer Service Company, Incorporated, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southeast corner of the intersection of North Lamar Boulevard and St. John's Avenue, which property fronts 107 feet on North Lamar Boulevard and 150 feet on St. John's Avenue and being a tract of land out of the James P. Wallace Survey in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Mrs. Clare M. Wind and is under lease to Pioneer Service Company, Incorporated, and we hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "D" Industrial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street and furthermore, shall not create a nuisance to others in the neighborhood and it is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Pioneer Service Company, Incorporated, be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc. and that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2 - 6 - 1802.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - C - 1802 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted
S. Reuben Rountree, Jr.
Acting Director of Public Works
J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The City Manager submitted the following:

"April 25, 1955

"S. Reuben Rountree, Jr.
Acting Director of Public Works

W. T. Williams, Jr., Acting City
Manager

"Street Improvements upon West 35th Street, Foothill Drive & Foothill Parkway

"Following is a tabulation of bids received at 10:00 A.M. Friday, April 22, 1955
for street improvements upon West 35th Street, Foothill Drive, and Foothill
Parkway, adjacent to the City of Austin Filtration Plant No. 2.

"Lee Maners	\$6,027.60
J. R. Canion	7,347.48
George R. Sutherland	7,421.80
Giesen & Latson Constr. Co.	7,875.52
Raymond Canion	7,935.18
Maufrais Bros.	8,764.20

City's Estimate	\$7,197.00
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"I recommend that Lee Maners with a low bid of \$6,027.60 be awarded the contract
for this project."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 22, 1955,
for street improvements upon West 35th Street, Foothill Drive and Foothill
Parkway; and,

WHEREAS, the bid of Lee Maners in the sum of \$6,027.60 was the lowest
and best bid therefor, and the acceptance of such bid has been recommended by
the Director of Public Works of the City of Austin, and by the City Manager;
Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Lee Maners in the sum of \$6,027.60 be and the same
is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin
is hereby authorized and directed to execute a contract on behalf of the City
of Austin with Lee Maners.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden

Noes: None

Absent: Councilman Pearson

Councilman Thompson offered the following resolution and moved its
adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the east side of North Lamar Boulevard as a private motor fuel plant consisting of a 500 gallon tank and pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is leased by the Heart-O-Texas Film Lines, and is located at the intersection of Airport Boulevard and North Lamar Boulevard, and is the unplatted portion of the W. P. Hamilton tract, of the City of Austin, Travis County, Texas, and hereby authorizes the said Heart-O-Texas Film Lines to operate a private motor fuel plant consisting of a 500 gallon tank and pump for the sole purpose of servicing their own motor equipment, and from which no motor fuel is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private motor fuel plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Heart-O-Texas Film Lines has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
April 28, 1955

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Heart-O-Texas Film Lines, through their agent, R. W. Daily, for permission to operate a liquefied petroleum motor fuel plant consisting of a 500 gallon aboveground tank and pump for the sole purpose of servicing their own motor equipment and from which no motor fuel is to be sold, upon property located on the east side of North Lamar Boulevard, at the intersection of Airport Boulevard and North Lamar Boulevard, which property is designated as the unplatted portion of the W. P. Hamilton tract, in the City of Austin, Travis County, Texas, and locally known as 7105 North Lamar Boulevard.

"This property is located in a "D" Industrial District and I recommend that this permit be granted subject to the following conditions;

"(1) That the motor fuel tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of motor fuel.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving motor fuel or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where motor fuel is handled

or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The City Manager subitted the following:

"April 26, 1955

"S. Reuben Rountree, Jr.

Acting Director of Public Works

W. T. Williams, Jr., Acting City Manager

"Sale of House - 3500 West 35th Street

"Following is a tabulation of the bids received at 2:00 P. M. on April 26, 1955 for the house located at 3500 West 35th Street:

"Tom Attal	\$ 327.77
V. E. Smith	556.00
Vance Fox	1,513.55

"I recommend that Vance Fox be awarded the contract for the purchase of this house."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin received and opened bids on April 26, 1955, at 2:00 P. M. on the sale of certain buildings on property purchased for the New Water Filtration Plant; and,

WHEREAS, Vance Fox submitted the highest and best bid in the amount of \$1,513.55 for such buildings located at 3500 West 35th Street; and,

WHEREAS, the Director of Public Works of the City of Austin and the City Manager have recommended the sale of such buildings to such bidder; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said bid be and the same is hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized and directed to execute a contract of sale for said buildings.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The Mayor read two proposals received--one from JOHN JOSEPH offering the City \$50,000 for four corner tracts of land, three corner tracts directly north of the Interregional Bridge that crosses the Colorado River and the corner tract at 27th and Guadalupe Street known as the Pool property. He attached a Cashier's Check for \$5,000.00. The other offer was from C. V. MILLICAN for Part of Lots 21, 22, and 23, Block E, Lambie Resubdivision, Voss Subdivision, Division 0, Outlot 55, in the amount of \$8,650.00, subject to the City's furnishing complete abstract and zoning the property Commercial. He attached a check for \$500. The City Manager explained the policy of the City in selling remnants too small to use as separate tracts to the adjoining property owner, each of these tracts were large enough to be usable. Councilman Long believed there would be a better use for these tracts to be sold along with the property in back of them as they were not too large. Councilman Thompson did not believe it good to sell the city's property by private negotiation between members of the Council, and that Mr. White had endeavored for sometime to get the list of property brought up to the Council so that plans for the sale of some of the remnant property could be made. He recommended a lot of study be made on the selling of city land. The City Manager explained the appraisal that was made, in that it was made on the property as it is now, without being rezoned. On the property figured in the three-way-trade, he stated this appraisal was in line and the trade was a very desirable proposition, and he pointed out the advantages. After more discussion, Councilman White moved that this be deferred for two weeks and that the City Manager advertise for sale the Pool Property and these three lots, the bids to be received by May 12, 1955, 9:30 A.M. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, White, Mayor McAden
Noes: Councilman Thompson
Absent: Councilman Pearson

Councilman Thompson suggested that the only property that should be involved would be the Pool property, and that the other property should not be sold until the Highway is completed. The City Attorney listed the advantages of the trade of the Pool property with other property in the widening of Guadalupe.

Councilman Long moved that the Cashier's checks be returned. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Pearson

The Mayor announced the date of hearing the appeal of the American Cancer Society as 2:00 P.M., May 12, 1955.

The Mayor stated for the record that he would like to close out the Pool tract because he was instrumental in buying it.

The City Manager brought up a question concerning a member of the Police Force who is building a home on property shortly outside the City limits. Under the Civil Service Rule, all policemen and firemen must live inside the city limits. This officer has contracted to build, and he asked to be annexed. He explained about a roadway that is to be improved in the area, between the present city limits and this property, and that would be done around June or July. The Council just tabled this for the time being informally.

The City Manager gave a report on the cost of opening Pressler Street as requested by Mrs. G. W. Bell, stating it would cost \$5,000 to open that street through for a very short distance, and he did not believe the need would justify the extension; that the City did not have the money to do the work. It would be necessary to condemn some property belonging to some very aged people and they would be very disturbed by the street going through.

The City Manager made a report on the right-of-way for North Loop Boulevard with respect to the property of PAUL MURCHISON and WOE K. MURCHISON. His recommendation was to accept Paul Murchison's offer of 7,966 square feet for \$850.00 net, the City paying the cost of title insurance, paving, curbing and gutter. Mr. Joe K. Murchison would accept \$2,000 cash, payment by the City of the cost of pavement, curb and gutter, and a 20' strip off Lot 3, which is now owned by the City. The City Manager's recommendation regarding the strip was to settle for a 10' strip. Discussion of a 15' strip was held. The Council informally agreed to instructing the City Manager to go ahead with his negotiations.

The City Manager reported on the East Side Recreation Center, stating the Architects estimated the cost to run \$25,000 more than recently allocated for it. The Director of Recreation made a study with the Architects to determine which could be done, and the only thing they could do was to cut down on the square feet of the structure and eliminate some of the facilities. The Parks Board thinks the plans should be carried out and the structure built as is. If that is done, there will be no money to improve the grounds. The Mayor noted the amount had been increased from \$100,000 to \$185,000. Councilman Thompson suggested that the matter be referred back to the Park Board to cut the plans down to fit the money appropriated.

The Council received notice that the following zoning application, formerly advertised for April 28th, will be reset for May 12th:

HENRY J. SASSE, et al	1301-1307, 1401-13 Winsted Lane; 1300-16, 1400-22 Saybrook Lane; 2001-2005 Enfield Rd; 2000-2006 Waterston St.	From "A" Residence To "B" Residence
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There being no further business the Council adjourned at 1:00 P.M. subject to the call of the Mayor.

ATTEST:


City Clerk

APPROVED


Mayor